

DOCUMENT NO. 8

Resolution of City Council approving
Urban Renewal Plan and feasibility of
Relocation for Park Plaza Urban Renewal
Project adopted December 6, 1971.

CITY OF BOSTON
IN CITY COUNCIL

RESOLUTION OF CITY COUNCIL
APPROVING URBAN RENEWAL PLAN AND
FEASIBILITY OF RELOCATION FOR
PARK PLAZA URBAN RENEWAL PROJECT

WHEREAS the Boston Redevelopment Authority (hereinafter the "Authority") is a public body politic and corporate duly organized and existing under Chapter 121B of the General Laws within the City of Boston.

AND WHEREAS the Authority, pursuant to Chapter 652 of the Acts of 1960, has the powers and performs the duties conferred on planning boards of cities in Massachusetts by general laws applicable to Boston, including Section 70 of Chapter 41 of the General Laws, and also has been granted the powers and shall perform the duties conferred or imposed by statute or ordinance on the former planning board of the City of Boston.

AND WHEREAS it is desirable, and in the public interest, that the Authority undertake and carry out an urban renewal project to be known as the "Park Plaza Urban Renewal Project", herein called the "Project", in that area of the City of Boston, herein called the "Project Area", bounded and described as follows:

Beginning at the intersection of the southerly sideline of Beach Street and the easterly sideline of Knapp Street;

Thence running in a generally southerly direction along said easterly sideline of Knapp Street to a point, said point being the intersection of the centerline of Kneeland Street and the easterly sideline of Knapp Street extended thereto;

Thence turning and running in a generally westerly direction along the centerlines of Kneeland Street and Stuart Street to a point, said point being the intersection of the centerline of Stuart Street and the westerly sideline of Arlington Street;

Thence turning and running in a generally northerly direction along said westerly sideline of Arlington Street to a point, said point being the intersection of the westerly sideline of Arlington Street and the northerly sideline of Boylston Street;

Thence turning and running in a generally easterly direction along said northerly sideline of Boylston Street to a point, said point being the intersection of the northerly sideline of Boylston Street and the westerly sideline of Bumstead Court;

Thence turning and running in a generally southerly direction across Boylston Street along an extension of said westerly sideline of Bumstead Court to a point in the southerly sideline of Boylston Street;

Thence turning and running in a generally easterly direction along said southerly sideline of Boylston Street to a point, said point being the intersection of the easterly sideline of Washington Street and the southerly sideline of Boylston Street extended thereto;

Thence turning and running in a generally northerly direction along said easterly sideline of Washington Street to a point, said point being the intersection of the easterly sideline of Washington Street and the northerly sideline of Essex Street;

Thence turning and running in a generally easterly direction along said northerly sideline of Essex Street (past Harrison Avenue Extension) to a point, said point being the intersection of the northerly sideline of Essex Street and the easterly sideline of Harrison Avenue extended thereto;

Thence turning and running in a generally southerly direction along said easterly sideline of Harrison Avenue to a point, said point being the intersection of the easterly sideline of Harrison Avenue and the northerly property line of 19-25 Harrison Avenue extended thereto;

Thence turning and running in a generally westerly direction across Harrison Avenue along said extension of the northerly property line of 19-25 Harrison Avenue to a point in the westerly sideline of Harrison Avenue;

Thence turning and running in a generally southerly direction along said westerly sideline of Harrison Avenue to a point, said point being the intersection of the westerly sideline of Harrison Avenue and the northerly sideline of Beach Street;

Thence turning and running in a generally westerly direction along said northerly sideline of Beach Street to a point, said point being the intersection of the northerly sideline of Beach Street and the westerly property line of 27-39 Harrison Avenue;

Thence turning and running in a generally southerly direction across Beach Street along an extension of said westerly property line of 27-39 Harrison Avenue to a point in the southerly sideline of Beach Street;

Thence turning and running in a generally westerly direction along said southerly sideline of Beach Street to the point of beginning, said point being the intersection of the southerly sideline of Beach Street and the easterly sideline of Knapp Street;

Excluding, however, the structures at 19-25 Harrison Avenue and 27-39 Harrison Avenue.

AND WHEREAS the Authority has made detailed studies of the location, physical condition of the structures, land use, environmental influences, and social, cultural and economic conditions of the Project Area and has found and determined that the character and conditions of the Project Area as described in the Resolution of the Authority captioned, "Determinations and Findings Relative to the Condition of the Park Plaza Project Area" do exist; that the Park Plaza Project Area is a decadent area in that it is an area which is detrimental to the safety, health, morals, welfare, and sound growth of the Boston community, because of the existence of buildings which are out of repair, physically deteriorated, unfit for human habitation, or obsolete, and in need of major maintenance and repair, and because of a substantial change in business and economic conditions, and because of excessive land coverage and because diversity of ownership, irregular lot sizes, and obsolete street patterns make it improbable that the Park Plaza Project will be redeveloped by the ordinary operation of private enterprise; and that the Park Plaza Project Area is blighted and decadent;

AND WHEREAS the Authority has prepared an Urban Renewal Plan for the Project Area dated July 1971 and entitled "Park Plaza Urban Renewal Project -- Final Project Report -- Urban Renewal Plan", which consists of a title page, a table of contents of 2 pages, 35 pages of text, and 4 maps (hereinafter called the "Urban Renewal Plan"), duly approved by the Authority on July 15, 1971, and submitted by His Honor the Mayor to the City Council for approval on August 2, 1971;

AND WHEREAS the Mayor has submitted to the City Council with the Urban Renewal Plan, but not as a part thereof, the following documentation:

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- (1) Resolution of the Boston Redevelopment Authority dated July 15, 1971, confirming its findings and determinations of October 14, 1965, August 2, 1967 and June 18, 1970, relative to the condition of the Park Plaza Urban Renewal Area
 - (2) Relocation Program
 - (3) Resolution of the Boston Redevelopment Authority approving the Urban Renewal Plan, the conditions under which relocation payments will be made, and the fixed relocation payments schedule for the Park Plaza Project
 - (4) Resolution of the Boston Redevelopment Authority authorizing submission of the Park Plaza Plan and Relocation Program to the Mayor and City Council of the City of Boston and to the Division of Urban Renewal of the State Department of Community Affairs
 - (5) Proposed Cooperation Agreement by and between the City of Boston and Boston Redevelopment Authority, together with attached resolution authorizing execution of the Agreement by the Authority

AND WHEREAS a general plan entitled "1965-1975 General Plan for the City of Boston and the Regional Core" (hereinafter called the "General Plan") has heretofore been prepared and was duly approved by the Authority on March 11, 1965, and is recognized and used as a guide for the general development of the City as a whole;

AND WHEREAS the Authority, in the exercise of its powers and the performance of its duties under Chapter 652 of the Acts of 1960 aforesaid, has found that the Urban Renewal Plan conforms to the General Plan, and the City Council has duly considered said findings;

AND WHEREAS the Urban Renewal Plan for the Project Area prescribes certain land uses for the Project Area and will require, among other things, changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public action;

AND WHEREAS a proposed Cooperation Agreement between the Authority and the City has been presented to the City Council providing for the making of the local grants-in-aid by the City;

AND WHEREAS the Authority has prepared and submitted a program for the relocation of individuals and families that may be displaced as a result of carrying out the Project accordance with the Urban Renewal Plan (hereinafter called the Relocation Program);

AND WHEREAS there is additional supporting information and data respecting such Relocation Program which has been prepared by the Authority as a result of studies, surveys, and inspections;

AND WHEREAS the members of the City Council have general knowledge of the conditions prevailing in the Project Area and of the availability of proper housing in the City for the relocation of individuals and families that may be displaced from the Project Area and, in the light of such knowledge of local housing conditions, have carefully considered and reviewed such proposals for relocation;

AND WHEREAS all property and all transactions affecting or respecting the installation, construction, reconstruction, maintenance, rehabilitation, use, development, sale, conveyance, leasing, management, or occupancy of real property within the Project Area shall be subject to the applicable provisions of Chapter 151B of the Massachusetts General Laws, and amendments thereto, and to all other applicable federal, state, and local laws prohibiting discrimination or segregation by reason of race, color, sex, religion, or national origin;

AND WHEREAS a public hearing on the Urban Renewal Plan has been held, after due notice thereof, at which time the City Council received evidence from persons living and doing business in the project area and other persons with respect thereto, and all persons desiring to be heard on the Urban Renewal Plan were so heard;

AND WHEREAS the members of the City Council have carefully considered and reviewed the Urban Renewal Plan in light of (1) the supporting documentation submitted; (2) the proceedings at the aforementioned public hearing; and (3) the general knowledge of the City Councillors with respect to conditions prevailing in the Project Area and in the City of Boston as a whole;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

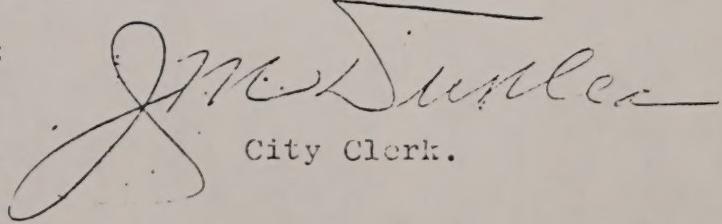
- A. That it is hereby found and determined based on the information presented at the hearing by the City Council including the information presented by the developer, Boston Urban Associates, the Boston Redevelopment Authority, and its counsel, and the City of Boston's Law Department:
- (1) The Project Area is a decadent and substandard area and qualifies as an eligible Project Area under Chapter 121B of the General Laws of Massachusetts;
 - (2) The financial aid provided and to be provided pursuant to the contracts for City financial assistance pertaining to the Project is necessary to enable the Project to be undertaken in accordance with the Urban Renewal Plan;
 - (3) The Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the renewal of the Area by private enterprise;
 - (4) The financial plan for the project is sound;
 - (5) The Urban Renewal Plan conforms to the General Plan for the City;
 - (6) The Urban Renewal Plan gives due consideration to the provision of adequate open areas;
 - (7) The objectives of the Urban Renewal Plan cannot be achieved through rehabilitation of the Project Area or any part thereof;
 - (8) The program for the proper relocation of the individuals and families displaced in carrying out the Project in decent, safe, and sanitary dwellings, in conformity with acceptable standards, is feasible and can be reasonably and timely effected to permit the proper prosecution and completion of the Project; and that such dwellings or dwelling units available or to be made available to such displaced individuals and families are at least equal in number to the number of displaced individuals and families, are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of displaced individuals and families in the Project Area, are available at rents or prices within the financial means of displaced individuals and families, and are reasonably accessible to their places of employment;

- (9) That carrying out the Urban Renewal Plan as presented will be in the public interest;
- B. That the Urban Renewal Plan is hereby approved;
- C. That the City Council hereby (a) pledges its cooperation in helping to carry out the Urban Renewal Plan; (b) requests the various officials, departments, boards, and agencies of the City having responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Urban Renewal Plan, consistent with their obligations to other urban renewal areas; and (c) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Urban Renewal Plan;
- D. That all persons to whom these presents shall come be, and they are hereby assured, that all property and all transactions affecting or respecting the installation, construction, reconstruction, maintenance, rehabilitation, use, development, sale, conveyance, leasing management, or occupancy of real property within the Project Area, shall be subject to the applicable provisions of Chapter 151B of the Massachusetts General Laws as now or hereafter enforced, and to all other applicable federal, state, and local laws prohibiting discrimination or segregation by reason of race, color, sex, religion, or national origin as now or hereafter enforced.
- E. That it is the specific intent of the City Council that each of the approvals given by the City Council in its final vote adopting this Resolution is conditioned on acceptance by the Authority of all of the changes voted by the City Council, whether in approving or amending the report of the Committee on Urban Development. If any of such changes are not effected by the Authority or Urban, all approvals herein given are specifically nullified and invalidated. Should the Authority find any changes unacceptable, it must resubmit the Plan for City Council approval with written notice of such part or parts as are found unacceptable and such changes as are recommended for City Council action.

In City Council December 6, 1971. Adopted -
yeas six, nays two.

Approved by the Mayor December 22, 1971.

Attest:


J.M. Duley
City Clerk.

CERTIFICATE OF VOTE

The undersigned hereby certifies as follows:

(1) That he is the duly qualified and acting Secretary of the Boston Redevelopment Authority, hereinafter called the Authority, and the keeper of the records, including the journal of proceedings of the Authority.

(2) That the following is a true and correct copy of a vote as finally adopted at a meeting of the Authority held on July 29, 1971 and duly recorded in this office:

Copies of a memorandum dated July 29, 1971 were distributed re Park Plaza Urban Renewal Area Cooperation Agreement, attached to which were copies of a Cooperation Agreement between Boston Redevelopment Authority and City of Boston for Park Plaza Urban Renewal Project.

On motion duly made and seconded, it was unanimously

VOTED: that the Director is hereby authorized to enter into a Cooperation Agreement by and between the Authority and the City of Boston in substantially the form presented at this meeting.

(3) That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting, and a legally sufficient number of members of the Authority voted in a proper manner and all other requirements and proceedings under law incident to the proper adoption or the passage of said vote have been duly fulfilled, carried out and otherwise observed.

(4) That the Cooperation Agreement to which this certificate is attached is in substantially the form as that presented to said meeting.

(5) That if an impression of the seal has been affixed below, it constitutes the official seal of the Boston Redevelopment Authority and this certificate is hereby executed under such official seal.

(6) That Robert F. Kenney is the Director of this Authority.

(7) That the undersigned is duly authorized to execute this certificate
IN WITNESS WHEREOF the undersigned has hereunto set his hand
this thirtieth day of July, 1971.

LS

BOSTON REDEVELOPMENT AUTHORITY

By Ken F. Kenney
Secretary